

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-61 are pending in this application. Claims 1, 21, 41, and 61, which are independent, are hereby amended. Claim 62 has been canceled without prejudice or disclaimer of subject matter. Support for this amendment is provided throughout the Specification as originally filed.

No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. REJECTIONS UNDER 35 U.S.C. § 101 and § 103(a)**

Claim 61 was rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

Claims 1-3, 10-23, 30-43, and 50-61 were rejected under 35 U.S.C. § 102(e), as allegedly anticipated by U.S. Patent Application No. 2002/0164149 to Wilkinson (hereinafter, merely “Wilkinson”)<sup>1</sup>.

Claims 4-9, 24-29, and 44-49 were rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Wilkinson in view of U.S. Patent Application No. 2001/0043784 to Shirata et al. (hereinafter, merely “Shirata”).

### III. RESPONSE TO REJECTIONS

#### A. Response to Rejections under 35 U.S.C. § 101

Claim 61 is amended, thereby obviating the rejections.

#### B. Response to Rejections under 35 U.S.C. § 102(a) and § 103(a)

Claim 1 recites, *inter alia*:

**wherein the second file of the second format includes all of the first data collectively placed in a first part of the body and includes all the second data collectively placed in a second part of the body, the first data that is collectively placed on the first part of the body of the second file including a plurality of frames of the first data, and**

**wherein the first part includes data of a plurality of frames but no second data, and**

**wherein the second part includes data of a plurality of frames but no first data, and**

**wherein the second file of the second format includes a first metadata file and second metadata file, the first metadata file**

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<sup>1</sup> Applicants note that U.S. Publication No. 2002/0164149 to Wilkinson was filed on September 4, 2001 and published on November 7, 2002. Thus, Wilkinson is 102(e) art and is disqualified under 35 U.S.C. §103(c). However, Applicants note that Wilkinson is a PCT Application that was published on March 14, 2002. Therefore, Applicants assume that the Office Action relies on the PCT publication.

**having metadata in file units, and the second metadata file  
having metadata in frame units, and the second metadata file  
having metadata of frame units collectively placed in the  
second metadata file. (emphasis added)**

Applicants respectfully submit that Wilkinson and Shirata, taken either alone or in combination, fails to disclose or renders predictable the above-identified features of claim 1. Firstly, the Office Action (see page 3) relies on paragraphs [0015], [0016], [0115], [0125], [0128], [0129], [0135], [0140], [0147], and Figures 6 and 7 of Wilkinson to reject “**wherein the second file of the second format includes all of the first data collectively placed in a first part of the body and includes all the second data collectively placed in a second part of the body, the first data that is collectively placed on the first part of the body of the second file including a plurality of frames of the first data,” “wherein the first part includes data of a plurality of frames but no second data,” “wherein the second part includes data of a plurality of frames but no first data,” and “wherein the second file of the second format includes a first metadata file and second metadata file, the first metadata file having metadata in file units, and the second metadata file having metadata in frame units, and the second metadata file having metadata of frame units collectively placed in the second metadata file,”** as recited in claim 1. Applicants respectfully disagree.

As discussed in previous response, Wilkinson describes three file formats: a MXF format file, a SDI format file, and a SDTI format file, each of which has video data and audio data multiplexed in a frame unit or a field unit. Applicants submit that each of the formats of Wilkinson include data in a frame or field unit multiplexed in the file.

Applicants submit that when Wilkinson includes more than one type of data, the more than one type of data will be multiplexed in the file.

Applicants submit that If Wilkinson invention is used in a “non-audio mode,” Wilkinson fails to disclose the above-identified features of claim 1 that requires at least two types of data: first data and second data.

Figures 5, 6, and 7 of Wilkinson describe data format corresponding to a field, which corresponds to only half a frame, not a “plurality of frames.” Applicants that when Wilkinson has a file that includes a plurality of frames, Wilkinson fails to disclose that **“wherein the second file of the second format includes all of the first data collectively placed in a first part of the body and includes all the second data collectively placed in a second part of the body, the first data that is collectively placed on the first part of the body of the second file including a plurality of frames of the first data,” “wherein the first part includes data of a plurality of frames but no second data,” and “wherein the second part includes data of a plurality of frames but no first data,”** as required by claim 1.

Secondly, the Office Action (see page 4) relies on paragraphs [0061] and [0062] of Wilkinson to reject **“the first metadata file having metadata in file units”** of claim 1 and relies on paragraphs [0093] and [0125]-[0127] of Wilkinson to reject **“the second metadata file having metadata in frame units”** of claim 1. Applicants respectfully disagree. Paragraphs [0061] and [0062] of Wilkinson describe metadata in the MXF format file, while paragraphs [0093] and [0125]-[0127] of Wilkinson describe metadata in the SDI format file or the SDTI format file. Applicants submit that the cited portion by the Office Action describes different file formats. The Office Action applies metadata descriptions in MULTIPLE files to reject **“the first metadata file”** and **“the second metadata file”** that are included in one file of one format: **“the second file of the second format,”** as recited in claim 1. It is unobvious for a person of ordinary

skill in the art to mix features in different file formats in order to render predictable the above-identified features of claim 1.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, claims 21, 41, and 61 are patentable.

As nothing in the prior art cited in the Office Action cures the above-identified deficiencies, Applicants respectfully request reconsideration and withdrawal of the rejections.

#### **IV. DEPENDENT CLAIMS**

Each of the other claims in this application is dependent on an independent claim discussed above, and is therefore believed patentable for at least the same reasons presented for the independent claim upon which it depends. As nothing in the prior art cited in the Office Action cures the above-identified deficiencies, Applicants respectfully request reconsideration and withdrawal of the rejections. As each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

#### **CONCLUSION**

Because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited references it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

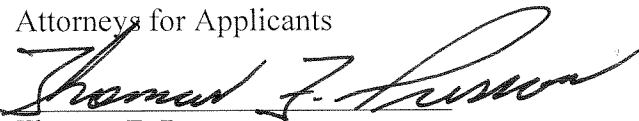
Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

Frommer Lawrence & Haug LLP  
Attorneys for Applicants

By:



Thomas F. Presson  
Reg. No. 41,442  
(212)588-0800